

REMARKS

In response to the Official Action of June 9, 2005, claims 1, 17, 23 and 27 have been amended in a manner which is believed to more particularly point out and distinctly claim that which applicant regards as the invention.

In particular, independent claims 1, 17, 23 and 27 have been amended to make clear that the protocol initialization unit is generated in accordance with a first protocol that is a radio interface protocol and that the protocol initialization unit in accordance with this radio interface protocol is transferred by means of a second protocol between first and second protocol termination points. The term “radio interface protocol” is supported in the application as filed including, for example, at page 13, line 10 of the published PCT application.

Thus, in the present invention as claimed, the protocol initialization unit is defined by a radio interface protocol such that the message generated in accordance with the radio interface protocol is then carried to the new termination point transparently by means of a second protocol. The present invention is especially directed for transferring information of radio interface protocols (that is protocols between the radio network controllers (RCNs) and mobile devices) rather than for the transfer of network-related information. The radio interface protocol initialization unit according to the present invention can be transported transparently from the first/old radio protocol termination point to the second/new radio protocol termination point by means of the second protocol, which would typically be a network protocol. The second protocol does not need to be aware of the contents of the message that is being transparently transferred by it.

At paragraph 5 of the Official Action, claims 1-28 are rejected under 35 U.S.C. §102(e) as anticipated in view of US patent 6,687,249, Noguera-Rodriguez et al (hereinafter Noguera-Rodriguez). In contrast to the present invention as claimed, Noguera-Rodriguez relates to

reconfiguring diversity legs during CN-RNC (Core Network-Radio Network Controller) interface streamlining. This is explained in Noguera-Rodriguez at column 1, lines 50-52 wherein it states:

“...the role of an RNC can change during the course of a UE [user equipment] connection (e.g. a telephone call).”

It specifically states at column 1, lines 52-55:

“For example, as the UE travels from one cell to the next, a DRNC may be converted to a SRNC through a CN-RNC interface streamlining process, also known in the art as Iu streamlining.”

Thus, the CN-RNC interface streamlining refers to a process of relocating within the network a Diversity Handoff Unit (DHO) from the original SRNC (serving RNC) to a new SRNC. Noguera-Rodriguez explains in column 1, lines 55-58 that during CN-RNC interface streaming, the CN-RNC interface which connects an SRNC to the core network is transferred from an original SRNC to a new SRNC. In order to properly relocate the DHO, an effective technique is therefore required to reconfigure the various network legs and to establish the transport level connections which are needed to support these legs. Noguera-Rodriguez thus clearly concentrates its disclosure on the transport level connections and discloses only that network-related information is transmitted as part of signalling interfaces, for example, on an RNC-CN interface for transferring network information from the old RNC to the new RNC. The transport level connections are the connections within the network on top of which the radio signalling and data are moved and thus the disclosure in Noguera-Rodriguez is clearly only directed to how to configure a new transport connection between the new RNC and new base stations (BS's) so that the connection is kept.

It is explained in Noguera-Rodriguez at column 3, lines 4-7 that the method involves transferring destination address and binding information from a first radio network controller to a second radio network controller. A more detailed explanation is given with reference to Figure 3 starting at column 4, line 14 through column 5, line 30. It is explained at column 4, lines 45-57

that the binding information identifies the physical resources that have been reserved to support a network diversity leg at the corresponding destination node. In other words, network specific address information is transferred between the RNC and the BS as well as between the RNC and the Core Network (CN). A person of ordinary skill in the art understands that this information is network specific and is not made available at the mobile device at all. This network specific address information is needed in Noguera-Rodriguez to make sure that the base station or CN maps the new transport connections to the old transport connections, that is, that the new transport link from the new RNC will replace the old transport connections from the old RNC.

However, there is no disclosure in Noguera-Rodriguez of the use of a radio interface protocol and a second protocol in accordance with the present invention as claimed. Thus, it is seen at column 5, lines 19-24 that in the preferred embodiment of Noguera-Rodriguez, newly established binding information can be transferred via signalling messages which are ordinarily transported across the RNC-RNC and RNC-BS interfaces, without suggesting that a protocol initialization unit in accordance with and defined by a radio interface protocol is transferred by means of a second protocol so that thereafter the new protocol termination point is initialized in accordance with the radio interface protocol.

It is therefore respectfully submitted that Noguera-Rodriguez does not disclose or suggest the step of defining a protocol initialization unit containing predefined information of a first termination point of a radio interface protocol by the radio interface protocol. Because there is no disclosure or definition of a protocol initialization unit by means of a radio interface protocol in Noguera-Rodriguez, there cannot be any disclosure or suggestion of transfer of such a protocol initialization unit in accordance with the radio interface protocol from the first termination point to a second termination point by means of a second protocol.

In contrast, in the present invention, the information to be transferred is information such as the state of the radio interface protocols and other information enabling the new RNC to continue the communication with the mobile device, without starting everything over again. The

information enables the new termination point (for example, the target RNC) to resume radio protocol communication with the mobile device on behalf of the old termination point.

It is therefore respectfully submitted that claim 1 as amended -which specifically is directed to relocating a radio interface protocol termination point and which the steps include defining a protocol initialization unit containing predefined information of a first termination point of the radio interface protocol by the radio interface protocol, as well as transferring the protocol initialization unit from the first termination point to a second termination point of the radio interface protocol by means of a second protocol and initializing the second termination point of the radio interface protocol based upon the protocol initialization unit- is neither disclosed nor suggested by Noguera-Rodriguez.

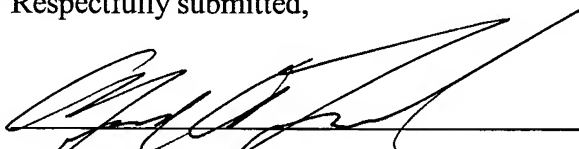
Thus, it is clear that embodiments of the present invention obviate the need for defining a great number of parameters of the radio interface protocol in another protocol when relocating a radio interface protocol termination point. An advantage of the present invention is that if new features are added to a radio interface protocol, then only the radio interface protocol initialization unit need be changed, while no modifications are needed to the second protocol, for example, on the network protocol. The claimed invention including the advantages that derive from the claimed invention, are neither disclosed nor suggested by Noguera-Rodriguez.

It is therefore respectfully submitted that claim 1 is neither disclosed nor suggested by Noguera-Rodriguez. Furthermore, independent communication system claim 17, independent network element claim 23 and independent network element claim 27 have been amended in a manner similar to that with regard to claim 1 and, for similar reasons, are believed to be neither disclosed nor suggested by Noguera-Rodriguez.

Since each of the independent claims are distinguished over Noguera-Rodriguez, it is respectfully submitted that all of the dependent claims thereto are further distinguished over Noguera-Rodriguez.

It is therefore respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alfred A. Fressola', is written over a horizontal line.

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